



Resumed Session of the Sixth Committee

Agenda item 80 Crimes against humanity ·

Cluster I - Introductory provisions (Preamble and Article 1)

Statement delivered by Ms. Alis Lungu, Legal Adviser

Permanent Mission of Romania to the United Nations

New York, 5 April 2024

Madam Chair,

Romania fully aligns with the statement delivered on behalf of the European Union and its Member States and would like to add the following remarks in its national capacity.

We welcome the opportunity to continue the exchange of substantive views that we started in the first resumed session of the Sixth Committee on all aspects of the Draft Articles on Prevention and Punishment of Crimes Against Humanity and on the recommendation of the International Law Commission (ILC).

This process has already proved its value and we continue to place our trust in it, as a constructive path to identify areas of convergence of views, to better understand substantive concerns or areas of divergence and to work towards ironing out the differences.

On a general note, we intend to contribute to this reflection by making brief comments on the substance of the draft articles, without entering into textual proposals which would be better suited for consideration in the negotiations phase.

We start our substantive reflections on the text by mentioning that in Romania International Law Commission, under the guidance of Special Rapporteur Mr. Sean D. Murphy, succeeded in proving the Sixth Committee with a balanced and well-drafted text that should be widely accepted by Governments after the lengthy exchanges with Commission in its deliberation process.

Preamble

We support the retention of the draft text of the preamble in the current form. The preamble sets the basis and the conceptual framework for the provisions that follow. It is drafted as a progression and it foreshadows the object and principles of the draft articles.

We are particularly attached to the following elements in the preamble: the reference to the peremptory

